

next call for the rail road is Cumberland; so that, after striking the line of the canal, it is not restricted to the Maryland shore, but may cross to that of Virginia, if it should appear that an independent location is more advisable than the passage at difficult points with the canal, where the rail road, being unavoidably on the berm side of the canal, would incur heavy cutting and blasting of rock.

It is further stipulated that, where the canal and rail-road come in contact, the width of the former shall not be reduced below the minimum established by the charter, "and in no case at any more expense to the canal company than such part or parts of its canal or works would have cost, if the same had been separately or independently constructed!" It also provides that the railroad company be discharged from all obligation to erect at any place upon the margin of the railroad next the canal a fence of boards, but shall pay to the canal company such sum of money as may, in the opinion of the commissioners, fully provide for the erection and maintenance of a good and sufficient post-and-rail fence along the river line of the tow-path, where its side may be precipitous. It requires that the rail road company shall give appropriate notice of the approach of its locomotive engines; and should any injury occur to the person or property of any individual from their neglect, that company shall be held responsible to the full amount of the damages. Commissioners are to be appointed to settle all questions in cases of disagreement between the companies, one to be appointed by each party, with the privilege of calling on a third, in the event of their not agreeing. Connexion by canals are also provided with the Chesapeake and Ohio Canal, from the cities of Annapolis and Baltimore; to the latter of which the State is to subscribe \$500,000. upon conditions therein mentioned, and which relate alone to that company — No concession on the part of the Chesapeake and Ohio Canal Company is required in this case, as the State, by the charter, reserved the privilege of intersecting the canal at any point within her borders; and although the extension might be preferred by the company from the District of Columbia yet she is only exercising a right reserved by her charter to the company. Whether an extension of the canal from any other point than the District of Columbia is practicable, is yet to be ascertained. The